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U.S. DISTRICT COURT E.D.N.Y.

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Rodney & Dawn Chestnut  
112 W Bartlett Road  
Middle Island, NY 11953

LONG ISLAND OFFICE

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

Rodney & Dawn Chestnut  
Plaintiff,

vs

Wells Fargo Bank, N.A  
Defendant,

Case #

**10-4244** (JS) (ARL)

MOTION TO EXTEND  
TIME TO RESPOND TO  
DEFENDANTS MOTION  
TO DISMISS

Date: November 11, 2010

PLAINTIFF'S MEMORANDUM IN SUPPORT OF MOTION TO EXTEND TIME

Plaintiff moves the court to extend the time to respond to the Defendants Motion to Dismiss which was filed on November 5, 2010, as authorized by Federal Rule of Civil Procedure 6(b).

A. Introduction

1. Petitioner is Rodney Chestnut, 112 West Bartlett Rd, Middle Island, NY.
2. Currently known defendant is WELLS FARGO BANK, N.A.,
3. Plaintiffs filed their Original Complaint on September 17, 2010
4. Plaintiffs have filed this Motion to Extend Time as soon as they became aware of the need for additional time and before the deadline.

B. Argument

5. The court may grant a request to extend time for good cause. Fed. R. Civ. P. 6(b)(1)(A); see *Jenkins v. Commonwealth Land Title Ins. Co.*, 95 F.3d 791, 795 (9th Cir. 1996).

6. Plaintiff requests an extension of time to respond to the Defendants Motion to Dismiss which was filed on November 5, 2010 because the legal issues to be

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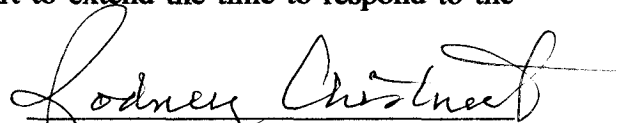
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addressed are complex and require additional research that cannot be completed before the deadline. Plaintiff has found it difficult to properly address the issues at hand. Plaintiff, not being practiced in the courts, does not have the same access to the materials necessary to frame proper pleadings as the Defendant does. The Plaintiff is requesting 14 more days to prepare a responsive pleading to Defendants Motion to Dismiss.

8. Plaintiffs request to extend time is for good cause and is not intended to delay these proceedings. *See* Fed. R. Civ. P. 6(b)(1)(A).

C. Conclusion


10. WHEREFORE, Plaintiffs move this court to extend the time to respond to the Defendants Motion to Dismiss.

  
Rodney Chestnut

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and exact copy of the above has been furnished by U.S. Mail on this 10<sup>th</sup> day of November, 2010 to the following:

Allison J. Schoenthal  
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